

Congress of the United States

Washington, DC 20515

February 5, 2003

The Honorable C.W. Bill Young
Chairman
Committee on Appropriations
U.S. House of Representatives
H-218 The Capitol
Washington, DC 20515

The Honorable David R. Obey
Ranking Member
Committee on Appropriations
U.S. House of Representatives
1016 Longworth HOB
Washington, DC 20515

The Honorable Frank R. Wolf
Chairman
Subcommittee on Commerce, Justice,
State, and Judiciary
H-309 The Capitol
Washington, DC 20515

The Honorable Jose E. Serrano
Ranking Member
Subcommittee on Commerce, Justice
State and Judiciary
1016 Longworth HOB
Washington, DC 20515

Dear Chairmen and Ranking Members:

We respectfully request that House conferees adopt the Senate-passed FY 2003 Omnibus Appropriation bill provision in H.J. Res. 2 that restores \$165 million for President Bush's request for a border security entry/exit tracking system and suspends funding for the controversial National Security Entry-Exit Registration System (NSEERS).

The Senate Appropriation bill originally did not include any of the President's FY 2003 budget request for \$362 million to develop the entry-exit system. This decision was based on Congressional experience with providing large sums of money to the Immigration and Naturalization Service (INS) that are poorly spent with inconsequential results. History with the INS certainly has shown that such caution is prudent, particularly during a time when the Congressional Budget Office is forecasting a budget deficit of \$199 billion this fiscal year.

However, due to serious concerns regarding terrorism, as well as drug and alien smuggling across our borders, Senators McCain and Kyl introduced an amendment restoring \$165 million of the President's request to develop an effective entry/exit system, requiring fiscal controls to ensure that the funds are spent wisely, and suspending funding for NSEERS. On a bipartisan basis Senators Kennedy, Feinstein, Feingold, Daschle, and Domenici, co-sponsored the amendment, which was approved unanimously by the Senate.

We believe that the Senate found the proper balance for funding effective and necessary border security programs, while refusing to fund unproven and controversial programs. After numerous Congressional hearings and mark-ups, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the USA PATRIOT Act of 2001 and the Enhanced Border Security and Visa Entry Reform Act of 2002, each of which authorized the implementation of an entry/exit system in order to track the flow of non-immigrants arriving into, and departing from, the United States. The funds appropriated in the omnibus appropriations bill will fund the entry/exit system Congress deems so important.

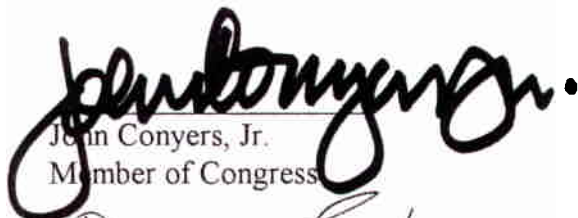
Reps. Young, Obey, Wolf and Serrano
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The Senate-passed bill correctly refuses to fund the NSEERS program, which was not contemplated in any of the above pieces of legislation. To the contrary, NSEERS was developed by the Justice Department without any Congressional consultations or oversight. At this critical time of heightened security while balancing limited resources, Congress should not fund the NSEERS program before sufficiently examining: (1) whether it is an effective tool for fighting terrorism as compared with other programs that demand funding; and (2) whether NSEERS will drain important resources from the implementation of an entry/exit system and other immigration tracking systems currently being implemented (such as the Student Exchange Visitor Informational System).

In addition to fiscal concerns, NSEERS will have serious unintended consequences both at home and abroad. Rather than helping to protect our citizens, the registration rules will only serve to further alienate the American Arab and Muslim community and our allies abroad, who are so crucial to our fight against terrorism.

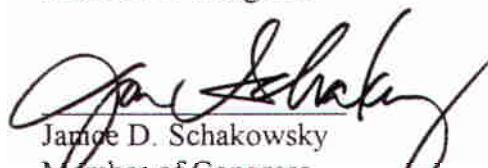
We urge you to retain the appropriations in the Senate-passed H.J. Res. 2 which authorizes an entry/exit system that is overdue rather than spending scarce resources on a suspect and ill-conceived registration program.

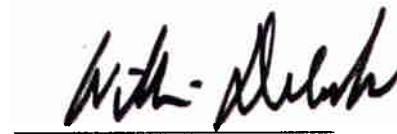
Sincerely,



John Conyers, Jr.
Member of Congress

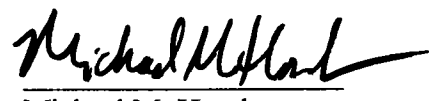

Melvin L. Watt
Member of Congress

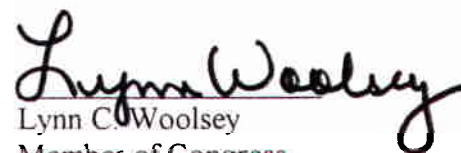

Linda Sanchez
Member of Congress


Janice D. Schakowsky
Member of Congress


William D. Delahunt
Member of Congress


Tammy Baldwin
Member of Congress


Michael M. Honda
Member of Congress


Lynn C. Woolsey
Member of Congress

Reps. Young, Obey, Wolf and Serrano

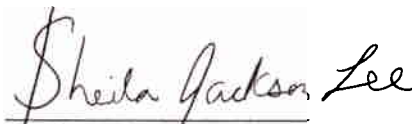
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A handwritten signature in cursive script that reads "Maxine Waters". The signature is written in dark ink on a light background.

Maxine Waters

Member of Congress

A handwritten signature in cursive script that reads "Sheila Jackson Lee". The signature is written in dark ink on a light background.

Sheila Jackson Lee

Member of Congress